

**United States Bankruptcy Court for the Northern District of Ohio****Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A Chapter 13 bankruptcy case concerning the debtor(s) listed below was filed on April 15, 2013. You may be a creditor of the debtor. **This notice lists important deadlines and explanations of your rights and duties.** Please read both sides of this notice.

**Case Information****Case Number:** 13-12603-aih**Debtor(s):**

James T. Walsh  
2068 Som Center Rd.  
Mayfield Hts, OH 44124

Marilena Walsh  
2068 Som Center Rd.  
Mayfield Hts, OH 44124

**Other names used by the Debtor(s) in the last 8 years:****Last Four Digits of Debtor's Social Security Number or Individual Taxpayer ID Number (ITIN)/Complete EIN:**

xxx-xx-8351  
xxx-xx-1159

**Attorney for Debtor:**

Steven M. Palmer  
Rausser & Associates  
614 West Superior Avenue #950  
Cleveland, OH 44113  
Telephone number: (216) 263-6200

**Bankruptcy Trustee:**

Craig H Shopneck  
Chapter 13 Trustee  
BP Tower  
200 Public Square, Suite 3860  
Cleveland, OH 44114-2321  
Telephone number: 216-621-4268

**Meeting of Creditors**

All debtors **must** bring the following proofs of identification to the meeting of creditors:

- **Valid, unexpired photo identification** (driver's license, state ID, employee ID, etc.). If the case is a joint filing, both debtors **must** have identification; **AND**
- **Proof of social security number.** Government- or employer-issued documentation, such as social security card, IRS tax transcript, W-2, or 1099, is acceptable proof.

**Date:** May 15, 2013**Time:** 08:30 AM**Location:** 341 Meeting, H.M.M. US Courthouse, 201 Superior Ave, 6th Floor, Cleveland, OH 44114**Deadlines**

*Papers must be **received** by the bankruptcy clerk's office by the stated deadline.*

**Deadline to File a Proof of Claim:**

- All Creditors (except governmental units): August 13, 2013
- Governmental Units (except as otherwise provided in Fed. R. Bankr. P. 3002(c)(1)): October 15, 2013

**Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts:** July 15, 2013**Deadline to Object to Exemptions:** 30 days after the *conclusion* of the meeting of creditors.**Deadline to File an Objection to Confirmation:** 7 days before the confirmation hearing date.**Filing of Plan, Hearing on Confirmation of Plan**

The plan is enclosed. The hearing on confirmation will be held:

**Date:** June 20, 2013**Time:** 2:30 PM**Location:** Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Judge Harris Courtroom #1A, Cleveland, OH 44114**Address of the Bankruptcy Court Clerk's Office:**

United States Bankruptcy Court  
Howard M. Metzenbaum U.S. Courthouse  
201 Superior Avenue  
Cleveland, OH 44114-1235

**For the Court:**

Clerk of the Bankruptcy Court:  
Kenneth J. Hirz

**Date:** April 22, 2013

**Refer to Other Side of this Notice for Important Explanations**

## EXPLANATIONS

### **Filing of Chapter 13 Bankruptcy Case:**

A bankruptcy case under Chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the other side of this notice, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.

### **Creditors Generally May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail, or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.

### **Meeting of Creditors:**

A meeting of creditors is scheduled for the date, time, and location listed on the other side of this notice. *The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.

### **Claims:**

A Proof of Claim is a signed statement describing a creditor's claim. A Proof of Claim form (Official Form B10) may be obtained from the Research and Forms page of the court's website at [www.ohnb.uscourts.gov](http://www.ohnb.uscourts.gov), or at any bankruptcy clerk's office. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the other side of this notice, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid, you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. **Filing Deadline for a Creditor with a Foreign Address:** The deadlines for filing claims set forth on the other side of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. *Do not include this notice with any filing you make with the court.*

### **Discharge of Debts:**

The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to a discharge under Bankruptcy Code § 1328(f), you must file a motion objecting to discharge in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the other side of this notice. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2) or (4), you must file a complaint in the bankruptcy clerk's office by the same deadline. The bankruptcy clerk's office must receive the motion or the complaint and any required filing fee by that deadline.

### **Exempt Property:**

The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to Chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the other side of this notice.

### **Bankruptcy Clerk's Office:**

Any paper that you file in this bankruptcy case must be filed at the bankruptcy clerk's office at the address listed on the other side of this notice. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. The clerk's office is open Monday through Friday from 9:00 AM to 4:00 PM, except on federal holidays. Additional information can be found on the court's website at [www.ohnb.uscourts.gov](http://www.ohnb.uscourts.gov), including Forms, Local Bankruptcy Rules, Administrative and General Orders, Judges' Hearing Dockets, the United States Code, and the Federal Rules of Bankruptcy Procedure.

### **Legal Advice:**

The staff of the bankruptcy clerk's office is not permitted to give legal advice. You may want to consult an attorney to determine your rights in this case. If you are a creditor with a foreign address, you should consult with a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.

**Refer to Other Side of this Notice for Important Deadlines and Notices**